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***Attorney for Debtors***

UNITED STATES BANKRUPTCY COURT

DISTRICT OF ARIZONA

In re:

Garry Edward Musselman and Lisa Ann  
Musselman,

Debtors.

Wells Fargo Bank, N.A., and its successors  
and/or assignees,

Movant,

Vs.

Garry Edward Musselman and Lisa Ann  
Musselman, Debtors,

Respondents.

Case No. 2:09-bk-29382-CGC

Chapter 13

**DEBTORS' EMERGENCY  
MOTION TO RE-IMPOSE THE  
AUTOMATIC STAY**

Re: Real Property Located at  
7036 East Minton Street  
Mesa, Arizona 85207

TO THE HONORABLE CHARLES G. CASE, UNITED STATES BANKRUPTCY JUDGE,  
THE SECURED CREDITOR, SECURED CREDITOR'S COUNSEL, THE TRUSTEE AND  
OTHER INTERESTED PARTIES:

Debtors, by and through undersigned counsel, hereby request an emergency hearing to  
re-impose the automatic stay on their home.

1 Debtors and secured creditor, Wells Fargo, had reached an agreement to allow all  
2 arrears to be put in the Chapter 13 plan while maintaining regular payments from that point  
3 forward.

4 Debtors missed a payment and secured creditor noticed out a Notice of Default and  
5 lodged a Certificate of Service and No Objection and lodged an Order lifting the stay,

6 Since the time the Order granting stay relief was signed, Debtors have been actively  
7 discussing scenarios with creditor and nothing has transpired. Debtors are now three months  
8 behind but have the money in hand to bring the debt current. Undersigned counsel has relayed  
9 this offer to counsel for the secured creditor with no avail.  
10

11 The foreclosure sale is occurring tomorrow, Friday January 21<sup>st</sup> at noon. Debtors can  
12 pay the three mortgage payments immediately and can even bring the funds to the hearing.  
13 Debtors should be given the opportunity to do so and remain in their home.

14 RESPECTFULLY SUBMITTED this 20<sup>th</sup> day of January 2011.

15 **The Law Offices of Nasser Abujbarah**

16 By\_\_\_/s/Nasser U Abujbarah\_\_\_\_\_

17 Nasser U. Abujbarah  
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1 Filed this 20<sup>th</sup> day of  
2 JANUARY 2011 with:

3 The U.S. Bankruptcy Court,  
4 District of Arizona

5 COPY of the foregoing  
6 Mailed this 20<sup>th</sup> day of  
7 January 2011 to:

8 The United States Trustee  
9 230 North 1<sup>st</sup> Avenue  
10 Phoenix, Arizona 85003

11 Mark S. Bosco  
12 Tiffany & Bosco  
13 2525 E. Camelback Road  
14 3<sup>rd</sup> Floor  
15 Phoenix, Arizona 85016

16 Garry Edward Musselman  
17 Lisa Ann Musselman  
18 7036 East Minton Street  
19 Mesa, Arizona 85207

20 By Fernando M. Figueroa  
21  
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23  
24  
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